

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ALICE KAY GENTRY, b/n/f
JOSEPH AARON BALL, a minor,

Plaintiff

v.

CAMPBELL COUNTY BOARD
OF EDUCATION,

Defendant

No. 3:05-cv-213

ORDER

For the reasons set forth in the memorandum opinion this day passed to the Clerk for filing, it is hereby ORDERED as follows:

1. Plaintiff's motion requesting partial nonsuit [Doc. 6] is hereby GRANTED to the extent that the court grants plaintiff leave to amend her complaint to dismiss all claims set forth in paragraphs 11 and 12 of the complaint relating to a denial of services by the defendant pursuant to the Americans with Disabilities Act, whereby those claims are DISMISSED WITHOUT PREJUDICE;

2. Plaintiff's objection to removal of cause to federal court [Doc. 7] is hereby SUSTAINED to the extent that this action, as amended, is REMANDED to the Circuit Court for Campbell County, Tennessee, at Jacksboro.

ENTER :

s/ James H. Jarvis
UNITED STATES DISTRICT JUDGE